

Remarks:

Responsive to the Official Action mailed February 13, 2006, Applicant respectfully requests reconsideration, reexamination and allowance of claims 1-12 in view of the following remarks.

The Examiner has continued the rejection of claims 1-12 under 35 U.S.C. §103(a) as unpatentable over Young in view of Schulz, both of which have been discussed in detail in prior Actions and Responses. The Examiner has taken the position that although Young fails to disclose a layer of a film forming polymer between the substrate and the ink, Schulz discloses a printable media having an image receptive layer (binder) on the substrate. The Examiner maintains that Young and Schultz are analogous art and that it would have been obvious to one of skill in the art to combine the image receptive layer of Schulz with Young to capture most of the ink colorant near a first major surface of the ink receptive layer while allowing most of a fluid vehicle of the ink to pass through the ink receptive layer.

In response to the remarks or arguments that were presented with Applicant's prior Amendment, the Examiner has responded that Applicant's arguments are not persuasive because Schulz is applied to teach the image receptive layer which is equivalent to the first down coat layer and the overcoat laminate of Schulz does not effect the composition and function of the image receptive layer. The Examiner states further that the specification fails to disclose that the claimed in-mold label is non-overcoated.

Applicant respectfully traverses the rejection and disagrees with each point that the Examiner makes with respect to answering Applicant's arguments.

With respect to the Examiner's assertion that the specification fails to disclose that the label is non-overcoated, Applicant directs the Examiner's attention to paragraph 0007 which provides that "[d]esirably, such a process eliminates any "back end" over-printing of the printed graphics prior to application or positioning in a mold", and to paragraph 0009 which provides "... durable graphic to a molded article in that no over-coating is required", and to paragraphs 0024 and 0025 which provide the method for making and using the label which include, among other things, providing the down coat, providing the ink, allowing the ink to dry and then positioning the label in a mold. Nowhere is the use or application of an over coat implied nor could it be inferred. Accordingly, it is Applicant's position that one skilled in the art would recognize that one of the advantageous properties of the present label is that